

BILL NO. 22 -2009

AN ORDINANCE

AMENDING CHAPTER 11 HOUSING OF
THE CITY OF READING CODIFIED ORDINANCES

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 11 entitled Housing is amended as follows:

SECTION 11-102 DEFINITIONS is hereby amended to added or amend
the following terms and definition:

LEASE - See Rent

LET - See Rent

PERMIT REGISTRATION - filing of an appropriate application and/or
registering a property as a rental unit

RENT - compensation for providing a shelter or lodging for occupation or
habitation by humans to reside, monetary or non-monetary

RENTING - *the act of permitting a unit to be used to provide a
living arrangement for one or more persons not the owner thereof
whether or not for compensation.*


RENTAL UNIT - a rooming unit or dwelling unit let for rent, a non-
owner occupied rooming or dwelling unit, or a dwelling unit occupied by
an owner and additional unrelated individuals. A rental unit shall not
include a hotel unit. A rental unit includes dwelling units under lease-
purchase agreements or long-term (greater than six (6) months)
agreements of sale.

SECTION 11-104 APPLICATION FOR PERMIT is hereby amended as
follows:

§11-104 APPLICATION FOR REGISTRATION OF A PERMIT RENTAL

Application for and registration of a rental permit property for a
dwelling unit or a rooming unit shall be made in writing on forms
prepared and provided by the City of Reading ~~Codes Enforcement~~
~~Division~~ Property Maintenance Division and shall be accompanied by

I, LINDA A. KELLEHER, City Clerk of the City
of Reading, Pa., do hereby certify, that the fore-
going is a true and correct copy of the original
ordinance passed by the Council of the City of
Reading, on the 27 day of April,
A. D. 2009. Witness my hand and seal of the
said City this 30 day of April, A. D. 2009.


CITY CLERK

payment of the applicable ~~permit~~ registration fee. Such forms shall require, but not shall not be limited to, the following information and shall be signed and sworn to by the owner of such dwelling unit or rooming unit:

11-104(8) requiring production of a copy of a Business Privilege License under which the owner rents the dwelling unit or rooming unit and reporting gross receipts therefrom is hereby deleted from the requirements for an application for a ~~Housing Permit~~ Rental Registration. Said removal shall not preclude the City of Reading Department of Finance Tax Division from investigating, requiring and prosecuting an owner, where necessary, to obtain a Business Privilege License pursuant to the City of Reading Codified Ordinances upon receipt of information from the Property Maintenance Division of the City of Reading of a rental of a property.

11-104(13) requiring production of a proof of insurance from an insurer licensed by the Commonwealth of Pennsylvania for the property is hereby deleted from the requirements for an application for a ~~Housing Permit~~ Rental Registration. Said removal shall not preclude the City of Reading Department of Community Development Building and Trades Division or Department of Fire and Rescue Fire Prevention Division from requesting insurance information for the property upon necessity therefor.

SECTION 11-105 RENEWAL OF RENTAL PERMIT is hereby amended as follows:

§11-105 RENEWAL OF RENTAL PERMIT RENTAL REGISTRATION

It shall be the responsibility of the owner of the dwelling unit or rooming unit to request and submit an application for renewal of a Rental Permit Registration. Rental Registrations for 2008 and 2009 will be jointly issued and processed by the City of Reading Property Maintenance Division. The owner of every dwelling unit or rooming unit must renew his/her/their Rental Permit Registration for each such dwelling unit or rooming unit for 2008 and 2009 by September 1, 2009. An application for renewal of a rental permit registration for 2008 and 2009 with the requisite fees may be submitted between July 1, 2009 and August 31, 2009. All renewal applications for 2008 and 2009 received after the first of September, 2009 shall be subject to revocation of the rental permit and/or doubling of the fee set forth herein. In addition, failure to pay/renew a rental permit registration by December 1, 2009 will result in submission of the bill and account for a rental permit registration to collections for recovery. The owner of every dwelling unit or rooming unit must renew his/her/their/its Rental Registration for each such dwelling unit or rooming unit for 2010 by April 1,

2010. An application for renewal of a rental registration for 2010 with the requisite fees may be submitted between February 1, 2010 and March 31, 2010. All renewal applications for 2010 received after the first of April, 2010 shall be subject to revocation of the rental permit registration and/or doubling of the fee set forth herein. In addition, failure to pay/renew a rental permit registration by April 1, 2010 will result in submission of the bill and account for a rental permit registration to collections for recovery. Commencing for renewal of a Rental Registration for 2011 and each year thereafter, the owner of every dwelling unit or rooming unit must renew his/her/their/its Rental-Permit Registration for each such dwelling unit or rooming unit for said year by the first business day after the first of January of said year. An application for renewal of a rental permit registration for 2011 and each subsequent year with the requisite fees may be submitted between November 1 and December 31 of the applicable year. All renewal applications for 2011 and subsequent years received after the first business day in January of the applicable year shall be subject to revocation of the rental permit registration and/or doubling of the fee set forth herein. In addition, failure to pay/renew a rental permit registration by March 1 of the applicable year will result in submission of the bill and account for a rental permit registration to collections for recovery. To renew a rental permit registration the owner must complete the an application for renewal on the form prepared and provided by the Codes Enforcement Division Property Maintenance Division and pay the applicable fee. Except as set forth in this Part, on a not less than 3 no more than 5 year basis, renewal of a rental permit registration is not subject to an inspection. An application for renewal of a rental permit registration may be denied resulting in nonrenewal of the permit registration as set forth herein. Failure of the owner to renew a permit will be considered a surrendering and revocation of the rental permit registration and will require vacation of all occupants/tenants of the dwelling unit or rooming. To obtain a rental permit registration after its surrender and revocation, the owner will have to submit a new initial application and undergo the requirements thereof. Any waiver of such requirements is at the discretion of the Codes Enforcement Division Property Maintenance Division Administrator or his/her designee.

SECTION 11-109 INSPECTON is hereby amended as follows:

A. INITIAL APPLICATION

Except as provided herein, all properties for which a Rental Registration is submitted from 2007 through 2014 shall not be required to undergo an inspection to be registered as a rental property. Properties which have

historically, within the last five (5) years, been owner-occupied and not registered rental properties shall be required to undergo an inspection as part of the initial application to register as a rental property. This provision shall not include registered rental properties from continuing to undergo an inspection pursuant to the City of Reading Rental Inspection Program including but not limited to renewal inspections, routine inspections and complaint inspections nor a Health and Safety Inspection pursuant to the City of Reading Codified Ordinances upon transfer of a property.

If an initial application inspection is required pursuant to the provisions of this Part and the City of Reading Rental Property Inspection Program, then all other portions of §11-109(A) shall remain in full force and effect.

B. RENEWAL INSPECTIONS

An inspection of a dwelling unit or rooming unit shall be performed on a rotating basis commencing in 2009 not less than three (3) years nor more than five (5) years, per the City of Reading Rental Property Inspection Program.

If a renewal inspection is required pursuant to the provisions of this Part and the City of Reading Rental Property Inspection Program, then all other portions of §11-109(B) shall remain in full force and effect.

SECTION 11-119 OFFICIAL NOTICES is hereby amended as follows:

All official notices, *excluding notice of inspection*, including but not limited to Notices of Violations relating to a dwelling unit or rooming unit shall be served on the owner with a copy to local responsible agent. All official notices, *excluding notice of inspection which shall be in the manner set forth herein*, shall be by first class mail to address of record of the owner and local responsible agent and posting of the dwelling unit or rooming unit.

SECTION 11-123 VIOLATIONS AND PENALTIES is hereby amended as follows:

E. PLACARDING AND CONDEMNING

The City of Reading Property Maintenance Division is hereby authorized to placard and condemn thereby requiring the immediate vacation, or

within the discretion of the Property Maintenance Inspector a reasonable amount of time vacation, of a property that is being rented for which a registration therefor has not been filed with the Property Maintenance Division as required by this Ordinance.

PART E. NONEXCLUSIVE REMEDIES IS RENUMBER TO PART F.

SECTION 2: All references to Housing Permit, Housing Rental Permit or Rental Permit shall be amended and changed to Rental Registration or Rental Housing Registration.

SECTION 3: All references to Codes Enforcement Division shall be amended and altered to be Property Maintenance Division.

SECTION 4: All references to Manager of Code or Codes Enforcement Division shall be amended and altered to read Administrator of the Property Maintenance Division.

SECTION 5: All relevant ordinances, regulations, remaining sections of Chapter 11 Housing - Rental Ordinance and policies of the City of Reading, Pennsylvania not amended hereby shall remain in full force and effect.

SECTION 6: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 7: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted April 27, 2009

Council President

Attest:

City Clerk

(LAW)

Submitted to Mayor:

Date: 4-28-09

Received by the Mayor's Office:

Date: 4-28-09

Approved by Mayor:

Date: 4/28/09

Vetoed by Mayor: _____

Date: _____